

shall receive an equal number of votes for the same office and either of them would be elected but for the equal vote, the question as to which of such parties is elected shall be decided by the judges of election, and in case they divide, the registrar shall decide between the persons for whom the judges vote.

SEC. 5. That the mayor immediately after his election, and before entering on the duties of his office, shall take and subscribe before his predecessor in office, or other person authorized and empowered by law to administer oaths, the following oath: "I, A. B., do solemnly swear that I will diligently endeavor to perform faithfully and truly, according to my best skill, judgment and ability, all the duties of the office of mayor of the city of Asheville while I continue therein, and will cause to be executed as far as in my power lies all laws, ordinances and regulations made for the government of the city, and in the discharge of my duties I will do equal justice in all cases whatsoever, so help me God." The oath shall be filed in the office of the mayor and record thereof made by his predecessor in the records of the mayor's office. Oath of mayor.

SEC. 6. That each alderman, before entering upon the duties of his office, shall take before the mayor, or some other person authorized to administer oaths, an oath that he will truly and impartially perform the duties of alderman for the city of Asheville according to the best of his ability and judgment. Oath of aldermen.

SEC. 7. That the mayor and aldermen shall hold their offices respectively until the succeeding election and until their successors are qualified. Term of office.

SEC. 8. That if the person elected mayor of the city of Asheville shall refuse to qualify, or if after qualifying, there is any vacancy in the office of mayor of the city by reason of death, resignation or disability to discharge the duties of the office, or if the mayor during his term of office shall become a non-resident of the city, the aldermen after due notice shall choose by ballot, in a full Vacancies.